

# RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

April 19, 2005

The City Council convened in Regular Session on Tuesday, April 19, 2005, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with the President of the Council Rory Riddler, presiding and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Mark Brown, John Gieseke, Dottie Greer, Bob Hoepfner, Bob Kneemiller, Joe Koester, Larry Muench, Jerry Reese, and Michael T. Weller. Absent: None. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office. File #45867

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

## PUBLIC HEARING

The President of the Council Rory Riddler announced that the following Public Hearing would now be held. At the conclusion of the hearing, the Regular Session continued with the order of business.

Case No. Z-05-05. An application to rezone property located at 1119-1127 South Main Street from HCD Historic Commercial District to PD-RF Planned Development-Riverfront District. In conjunction with the rezoning, the Commission will consider a preliminary development plan for the property known as The Montgomery. (Ward 2) *(request from the developer to continue the public hearing until May 3, 2005)*

## REPORT OF THE MAYOR

### Budget Amendment No. 2 (Council Bill No. 8549)

The Honorable Mayor Patricia M. York requested the Council's consideration of Budget Amendment #2 as outlined in Council Bill No. 8549.

### Appointments to Boards/Commissions

A motion was made by JOHN GIESEKE to approve the appointment of Brian Hill for a one year term on the CONVENTION & VISITORS COMMISSION, as presented by the Honorable Mayor Patricia M. York. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Gieseke, Greer, Hoepfner, Kneemiller, Koester, Muench, Reese, Riddler, Weller, and Brown. "Nay": None. Absent: None. Motion passed.

A motion was made by LARRY MUENCH to approve the appointment of Benny Shepack for a one year term on the CONVENTION & VISITORS COMMISSION, as presented by the Honorable Mayor Patricia M. York. BOB KNEEMILLER seconded the motion. A roll call vote was taken, with the following results: "Aye": Hoepfner, Kneemiller, Muench, Reese, and Weller. "Nay": Greer, Koester, Riddler, Brown, and Gieseke. Absent: None. Motion failed.

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A motion was made by JOHN GIESEKE to approve the appointment of Lois Robinson for a three year term on the FAIR HOUSING COMMISISON, as presented by the Honorable Mayor Patricia M. York. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Hoepfner, Kneemiller, Koester, Muench, Reese, Riddler, Weller, Brown, Gieseke, and Greer. "Nay": None. Absent: None. Motion passed.  
File #45868

## Report on Convention Center Opening

The Honorable Mayor Patricia M. York reported that the Convention Center opened last week, and that the Public Opening on Saturday, April 9, 2005, was a success

## Recognition of Public Safety Communications Week

The Honorable Mayor Patricia M. York recognized the Communications Specialists of the Police Department; and declared April 13 -19, 2005, as "Public Safety Communications Week".

## Reconsideration of Closed Session Vote on Allowing the Mayor to Have Legal Representation in the Express Scripts Hearing

The Honorable Mayor Patricia M. York requested that the Council reconsider the previous vote taken during Closed Session relative to legal representation for the Mayor in the Express Scripts Matter. President of the Council Rory Riddler stated that the request for reconsideration must be made by a Councilmember on the prevailing side. There was no request for reconsideration made by a Councilmember on the prevailing side.

## ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

### Response to Items Brought Forward Under Report of the Mayor

There were no responses to items brought forward under Report of the Mayor.

### Announcement of Moolah Shrine Circus and Parade

Councilmember John Gieseke introduced Moolah Shriners Representatives John Smith and Lee Widaman. Mr. Smith announced that the parade will be held on Saturday, April 24, 2005; and the circus will be held at the Family Arena on April 28, April 29, April 30, and May 1, 2005.

### Discussion Relative to Leftovers, Inc.

Councilmember Joe Koester requested an update on the preparation of a contract with Leftovers, Inc. City Clerk Marilyn K. McCoy stated that the draft contract would be forwarded to the Legal Department for review.

### Discussion Relative to Disclosing Information Pursuant to the Municipal Airport to Buyers of Property Within One Mile of the Airport

Councilmember Joe Koester announced that Special Counsel Eric Tolen will be exploring a possible notification process to ensure that persons buying property within one mile of the airport are aware of the proximity to the airport.

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## Announcement of Items Which Can be Recycled

Councilmember Joe Koester announced that as of May 1, 2005, there are additional items which can be recycled; and that recycling containers are available through Midwest Waste. Councilmember Larry Muench stated that the Cable Commission is currently working on a program relative to recycling.

## Announcement of Revision to Council Rule 14(C) Relative to Miscellaneous Announcements by Councilmembers

Councilmember John Gieseke announced that the proposed revision to Council Rule 14 (C) is to allow miscellaneous announcements to be made by Councilmembers at each Regular Council Meeting.  
File #45869

## Selection of Council Liaisons to Boards, Commissions, and Committees; and Council Committees

President of the Council Rory Riddler presented a proposed list of Councilmembers to serve as Council Liaisons to Boards, Commissions, and Committee, and to serve on the various Council Committees. A motion was made by RORY RIDDLER to approve the Council Liaisons to Boards, Commissions, and Committees; and members to the Council Subcommittees as follows:

### *Council Liaisons to Boards, Commissions, and Committees*

Arts & Culture Commission .....	Joe Koester
Beautification Commission.....	Michael Weller
Cable Television Commission .....	John Gieseke
Alternate.....	Bob Kneemiller
Cemetery Advisory Board .....	John Gieseke
Citizens with Disabilities Advisory Board .....	Larry Muench
Convention & Visitors Commission.....	Rory Riddler
Alternate.....	John Gieseke
Early Childhood Care Advisory Commission .....	Jerry Reese
Economic Development Commission.....	Larry Muench
Alternate.....	John Gieseke
HLPARB.....	Rory Riddler
July 4 <sup>th</sup> Celebration Committee .....	Joe Koester
Lewis & Clark Heritage Days Committee .....	Rory Riddler
Local Housing Authority .....	Dottie Greer
Oktoberfest Committee and Sister Cities Program.....	Bob Hoepfner
Parks & Recreation Board .....	Mark Brown
Alternate.....	Dottie Greer
Planning & Zoning Commission .....	John Gieseke
Alternate.....	Dottie Greer
Senior Citizens Advisory Commission.....	Bob Hoepfner & Dottie Greer

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Special Business District.....	Rory Riddler
Traffic Commission .....	Michael Weller
Youth Advisory Commission .....	Michael Weller
	Alternate.....Bob Kneemiller
Council Liaison for Education.....	Jerry Reese
Council Liaison for Oktoberfest .....	Bob Hoepfner

## *Council Committees:*

### Advertising, Marketing & Public Relations

John Gieseke, Chairperson  
Mark Brown  
Bob Kneemiller  
Larry Muench  
Rory Riddler

### Cable Franchise Contract Review Committee

Mark Brown, Chairperson  
John Gieseke  
Bob Kneemiller  
Larry Muench  
Rory Riddler

### Community Center Committee

Rory Riddler, Chairperson  
Dottie Greer  
Bob Kneemiller  
Joe Koester  
Larry Muench

### Convention Center Oversight Committee

Mark. Brown  
Bob Hoepfner  
Joe Koester  
Larry Muench

### Finance & Audit Committee

Mark Brown, Chairperson  
John Gieseke  
Bob Hoepfner  
Joe Koester  
Larry Muench

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Grant Review Committee

Joe Koester, Chairperson  
Bob Kneemiller  
Rory Riddler

Legends of the Little Hills Committee

Larry Muench, Chairperson  
Bob Kneemiller  
Dottie Greer

Municipal Airport Committee

John Gieseke, Chairperson  
Mark. Brown  
Rory Riddler

Public Safety Committee

Mark Brown, Chairperson  
John Gieseke  
Dottie Greer  
Joe Koester

Public Transportation Committee

Larry Muench, Chairperson  
John Gieseke  
Bob Kneemiller  
Rory Riddler  
Michael Weller

Public Utilities Committee

Bob Hoepfner, Chairperson  
Mark Brown  
Dottie Greer  
Bob Kneemiller  
Rory Riddler

Street Committee

Joe Koester, Chairperson  
John Gieseke  
Larry Muench  
Jerry Reese  
Rory Riddler

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## Technology Committee

Joe Koester, Chairperson

John Gieseke

Dottie Greer

Larry Muench

Rory Riddler

JOHN GIESEKE seconded the motion. All voted in favor, motion passed.

### Discussion Relative to Contract with Certified Public Accounting Firm of Huber, Ring, Helm and Co. to Perform a Forensic Audit of Self-Insured Medical Fund

Councilmember John Gieseke requested that City Administrator Allan T. Williams speak on this issue. Dr. Williams stated that the contract will engage the CPA firm to investigate the self-insurance medical fund for a cost of approximately \$15,000 - \$20,000; however, in the event, the CPA firm discovers anything, they will pursue it, and the cost will increase. Dr. Williams further clarified that the forensic audit will look for evidence of fraud, and for equity in coverage. A motion was made by JOHN GIESEKE to approve a contract with the Certified Public Accounting Firm of Huber, Ring, Helm and Co. to perform a Forensic Audit of the Self-Insured Medical Fund. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.  
File #45870

### Certification of Elections Results from the April 5, 2005, Election

A motion was made by JOHN GIESEKE to receive and approve the certification of election results of the General Municipal Election held on April 5, 2005. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.  
File #45871

### Update On Negotiations With Firefighters

President of the Council Rory Riddler announced that an update will be given on the negotiations with firefighters in Closed Session.

### Request for RFQ to be Drafted for Redevelopment Area

A motion was made by BOB HOEPFNER to draft a Request for Qualifications for a Redevelopment Study of the area bounded by Duchesne, Droste and West Clay, including commercial properties abutting these streets and south of West Clay to Interstate 70 on the west of side of First Capitol Drive. JOE KOESTER seconded the motion. All voted in favor, motion passed.

## PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

### Council Bills 8530 and 8531 Relative to Prohibited Noise

**Larry Reagan**, 1633 Rosewall Drive, spoke in favor of Council Bills 8530 and 8531 relative to prohibited noise.

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## Item 5.C. Discussion Relative to Leftovers, Inc.

**Norma Holt**, 1625 Morrison Lane, spoke in favor of Leftovers, Inc.

**Darlene Damon**, 14 Meadowstone Ct., spoke in favor of Leftovers, Inc.

## BILLS FOR FINAL PASSAGE

### **Bill 8465 (Substitute Bill No. 2) (Amended)**

An Ordinance Rezoning to City Zoning District PD-MU (Planned Development-Mixed Use District) From County Zoning District I-2 (Heavy Industrial District), a 108.09 Acre Parcel of Land Located on the Southeast Side of New Town Boulevard, Northeast of Mueller Road; Approving the Preliminary Development Plan of The New Town at St. Charles Phase 10 PD-MU in Connection Therewith; and Amending the Planned Development Agreement. (*Sponsors: John Gieseke and Bob Hoepfner*)

A motion was made by JOHN GIESEKE to amend Council Bill 8465 in accordance with Version 9 of the Third Amendment to the New Town Agreement. DOTTIE GREER seconded the motion. All voted in favor, motion passed. A motion was made by JOHN GIESEKE to amend the amount contained in No. 5 of Version 9 of the Third Amendment to read "5.2 Million" in lieu of the "\$10 Million". DOTTIE GREER seconded the motion. All voted in favor, motion passed.

City Administrator Allan T. Williams addressed several of the provisions contained in the agreement as outlined by the report submitted by City Staff. Upon the request of City Administrator Allan T. Williams, President of the Council Rory Riddler requested that the Public Utilities Committee discuss fees for water and sewer connections. Councilmember John Gieseke requested that an item be added to the next Council Work Session relative to the rate increases discussed prior to the approval of the PFA bonds for the 48" sewer line replacement project. Based on concern voiced by Councilmember Mark Brown relative to the flow meter installed by ECM, President of the Council Rory Riddler requested that a summary of the events surrounding the recalibration of the Sandfort Creek Flow Meter be forwarded to the Councilmembers.

Further discussion was held relative to various provisions contained in the Third Amendment to the Development Agreement.

A motion was made by MARK BROWN to amend the second sentence in Section 5a. to add the language "with the same conditions" between the words "a more favorable financial arrangement" and "with respect to such tap-on fees". JOHN GIESEKE seconded the motion. All voted in favor, motion passed.

Councilmember Bob Kneemiller requested that the record reflect that additional staff may be needed to comply with the provisions of the Third Amendment relative to the self-certification and the timeline on permits.

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**Bill 8476 (Held)**

An Ordinance Repealing Sections 150.015 and 150.016 of the Code of Ordinances and Enacting Two New Sections in Lieu Thereof, Adopting the 2003 Edition of the *International Building Code*. (Sponsors: Rory Riddler and Dottie Greer)

Council Bill 8476 was held until May 17, 2005, in accordance with the requirement that the adoption of the code be held for a period of 90 days from introduction of the Council Bill. A motion was made by MARK BROWN directing staff to: 1) compile a list of the significant changes between the current codes and the 2003 codes; and 2) that a meeting be scheduled with the Home Builders Association to address the changes in the codes. JOHN GIESEKE seconded the motion. All voted in favor, motion passed.

**Bill 8477 (Held)**

An Ordinance Repealing Sections 150.020 and 150.021 of the Code of Ordinances and Enacting Two New Sections in Lieu Thereof, Adopting the 2003 Edition of the *International Residential Code for One- and Two-Family Dwellings* (Sponsors: Rory Riddler and Dottie Greer)

Council Bill 8477 was held until May 17, 2005, in accordance with the requirement that the adoption of the code be held for a period of 90 days from introduction of the Council Bill.

**Bill 8478 (Held)**

An Ordinance Amending Chapter 150 of the Code of Ordinances by Creating Two New Sections, 150.025 and 150.026, Adopting the 2003 Edition of the *International Energy Conservation Code* (Sponsors: Rory Riddler and Dottie Greer)

Council Bill 8478 was held until May 17, 2005, in accordance with the requirement that the adoption of the code be held for a period of 90 days from introduction of the Council Bill.

**Bill 8479 (Held)**

An Ordinance Repealing Sections 150.030 and Section 150.031 of the Code of Ordinances and Enacting Two New Sections, Adopting the 2003 Edition of the *International Property Maintenance Code*. (Sponsors: Rory Riddler and Dottie Greer)

Council Bill 8479 was held until May 17, 2005, in accordance with the requirement that the adoption of the code be held for a period of 90 days from introduction of the Council Bill.

**Bill 8480 (Held)**

An Ordinance Amending Chapter 150 of the Code of Ordinances of the City of Saint Charles, Missouri by Creating Two New Sections 150.035 and 150.036, Adopting the 2003 Edition of the *International Existing Building Code* (Sponsors: Rory Riddler and Dottie Greer)

Council Bill 8480 was held until May 17, 2005, in accordance with the requirement that the adoption of the code be held for a period of 90 days from introduction of the Council Bill.



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**Bill 8481 (Held)**

An Ordinance Repealing Sections 150.040 and 150.041 of the Code of Ordinances and Enacting Two New Sections in Lieu Thereof Adopting the 2003 Edition of the *International Mechanical Code* (Sponsors: Rory Riddler and Dottie Greer)

Council Bill 8481 was held until May 17, 2005, in accordance with the requirement that the adoption of the code be held for a period of 90 days from introduction of the Council Bill.

**Bill 8482 (Held)**

An Ordinance Amending Chapter 150 of the Code of Ordinances by Creating Two New Sections, 150.045 and 150.046, Adopting the 2003 Edition of the *International Fuel Gas Code* (Sponsors: Rory Riddler and Dottie Greer)

Council Bill 8482 was held until May 17, 2005, in accordance with the requirement that the adoption of the code be held for a period of 90 days from introduction of the Council Bill.

**Bill 8483 (Held)**

An Ordinance Repealing Sections 150.055, 150.056 and 150.057 of the Code of Ordinances and Enacting Two New Sections in Lieu Thereof, by Adopting the 2002 Edition of the *National Electric Code* (Sponsors: Rory Riddler and Dottie Greer)

Council Bill 8483 was held until May 17, 2005, in accordance with the requirement that the adoption of the code be held for a period of 90 days from introduction of the Council Bill.

**Bill 8484 (Held)**

An Ordinance Amending Chapter 150 of the Code of Ordinance by Repealing Sections 150.075, 150.076, and 150.077 and Enacting Two New Sections in Lieu Thereof, Adopting the 2003 Edition of the *International Plumbing Code* (Sponsors: Rory Riddler and Dottie Greer)

Council Bill 8484 was held until May 17, 2005, in accordance with the requirement that the adoption of the code be held for a period of 90 days from introduction of the Council Bill.

**Bill 8486**

An Ordinance Amending Ordinance Number 04-295 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2005 (Budget Amendment #1) (Sponsors: All Members of the City Council)

**Passed** "Aye": Muench, Reese, Riddler, Weller, Brown, Gieseke, Greer,  
Hoepfner, Kneemiller, and Koester  
"Nay": None  
Absent: None

**Approved** by the Honorable Mayor on April 25, 2005, and is known as **Ordinance 05-108**

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**Bill 8527 (Held)**

An Ordinance Repealing Sections 95.01 and 95.02 of the Code of Ordinances and Enacting Two New Sections in Lieu Thereof , Adopting the 2003 Edition of the *International Fire Code* (Sponsor: Mark Brown)

Council Bill 8527 was held until July 19, 2005, in accordance with the requirement that the adoption of the code be held for a period of 90 days from introduction of the Council Bill.

**Bill 8528**

An Ordinance Authorizing an Agreement with the St. Charles Lions Club for the Sponsorship of the Operation of the Farmers Market During the Summer of 2005 (Sponsor: Rory Riddler)

**Passed** "Aye": Muench, Reese, Riddler, Weller, Brown, Gieseke, Greer,  
Hoepfner, Kneemiller, and Koester  
"Nay": None  
Absent: None

**Approved** by the Honorable Mayor on April 25, 2005, and is known as **Ordinance 05-109**

**Bill 8529**

An Ordinance Amending Chapter 156 of the Code of Ordinances by Revising Sections 156.064 Pertaining to RPPD Residential Permit Parking Districts (Sponsor: Dottie Greer)

**Passed** "Aye": Muench, Reese, Riddler, Weller, Brown, Gieseke, Greer,  
Hoepfner, Kneemiller, and Koester  
"Nay": None  
Absent: None

**Approved** by the Honorable Mayor on April 26, 2005, and is known as **Ordinance 05-114**

**Bill 8530 (Failed)**

An Ordinance Amending Chapter 97 of the Code of Ordinances by Revising Sections 97.03 (D) Pertaining to Prohibited Uses (Sponsor: Jerry E. Reese)

Councilmember John Gieseke stated that he was requesting Special Counsel Eric Tolen to draft an ordinance to address the commercial establishments, rather than the truck drivers; and requested that Mr. Tolen contact Councilmember Jerry Reese relative to the drafting of the new ordinance. Councilmember Jerry Reese stated that the proposed ordinance clarifies existing language regarding operation of construction and building machinery, and prohibits the use of mechanical trash compactors between the hours of 10:00 p.m. and 7:00 a.m. within 250 feet of a residence in areas south of I-70. Councilmember Reese also stated that the residents in the area are in favor of the amendments. Discussion was held relative to the provisions contained within Council Bill 8530, and the possibility of the commercial establishments installing a sound barrier wall. A separate vote was taken on Council Bill 8530, with the following results:

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**Failed** "Aye": Kneemiller, Muench, Reese, Weller, and Hoepfner  
"Nay": Koester, Riddler, Brown, Gieseke, and Greer  
Absent: None

Council Bill 8530 failed passage.  
File #45872

**Bill 8531 (Failed)**

An Ordinance Amending Section 97.03(F) of the Code of Ordinances Pertaining to Prohibited Noises (*Sponsor: Jerry E. Reese*)

Councilmember John Gieseke stated that he was requesting Special Counsel Eric Tolen to draft an ordinance to address the commercial establishments, rather than the truck drivers; and requested that Mr. Tolen contact Councilmember Jerry Reese relative to the drafting of the new ordinance. Councilmember Jerry Reese stated that the proposed ordinance prohibits motor vehicles in excess of 10,000 pounds from operating for a consecutive period of longer than two minutes which such vehicle is in a stationary location on private property located within 450 feet of property devoted to residential uses in areas south of I-70. Councilmember Reese also stated that the Police Department is in favor of the proposed amendment to assist in enforcement of the current noise ordinance; and that the residents in the area are in favor of the amendments. Discussion was held relative to the provisions contained within Council Bill 8530, and the possibility of the commercial establishments installing a sound barrier wall. A separate vote was taken on Council Bill 8531, with the following results:

**Failed** "Aye": Muench, Reese, Weller, Hoepfner, and Kneemiller  
"Nay": Koester, Riddler, Brown, Gieseke, and Greer  
Absent: None

Council Bill 8531 failed passage.  
File #45873

**Bill 8532**

An Ordinance Amending Chapter 32 of the Code of Ordinances by Revising Sections 32.030 Pertaining to the Convention and Visitors Bureau (*Sponsor: Rory Riddler*)

**Passed** "Aye": Muench, Reese, Riddler, Weller, Brown, Gieseke, Greer,  
Hoepfner, Kneemiller, and Koester  
"Nay": None  
Absent: None

**Approved** by the Honorable Mayor on April, 2005, and is known as **Ordinance 05-110**

**Bill 8534**

An Ordinance Approving the Record Plat for Fountainview Plat One, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Jerry Reese*)

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**Passed** "Aye": Muench, Reese, Riddler, Weller, Brown, Gieseke, Greer,  
Hoepfner, Kneemiller, and Koester  
"Nay": None  
Absent: None

**Approved** by the Honorable Mayor on April 25, 2005, and is known as **Ordinance 05-111**

**Bill 8535**

An Ordinance Approving the Record Plat for Fountainview Plat Two, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Jerry Reese*)

**Passed** "Aye": Muench, Reese, Riddler, Weller, Brown, Gieseke, Greer,  
Hoepfner, Kneemiller, and Koester  
"Nay": None  
Absent: None

**Approved** by the Honorable Mayor on April 25, 2005, and is known as **Ordinance 05-112**

**Bill 8536**

An Ordinance Approving the Record Plat for Hollow Brook, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Bob Kneemiller*)

**Passed** "Aye": Muench, Reese, Riddler, Weller, Brown, Gieseke, Greer,  
Hoepfner, Kneemiller, and Koester  
"Nay": None  
Absent: None

**Approved** by the Honorable Mayor on April 25, 2005, and is known as **Ordinance 05-113**

**Bill 8537**

An Ordinance Rezoning to City Zoning District C-2 (General Business District) from City Zoning I-1 (Light Industrial District), a 0.8 Acre Parcel of Land Located at the Southwest Corner of Highway 94 North and Little Hills Expressway (*Sponsor: Dottie Greer*)

**Passed** "Aye": Muench, Reese, Riddler, Weller, Brown, Gieseke, Greer,  
Hoepfner, Kneemiller, and Koester  
"Nay": None  
Absent: None

**Approved** by the Honorable Mayor on April 26, 2005, and is known as **Ordinance 05-116**

**Bill 8538**

An Ordinance Rezoning to City Zoning District PD-R (Planned Development-Residential District) From City Zoning District R-3A (Multiple-Family Residential District), Lot 44 of Hidden Terrace Subdivision, 2432 through 2442 Falcons Way and Approving the Preliminary Development Plan (Preliminary Plat) in Connection Therewith (*Sponsor: Dottie Greer*)

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**Passed** "Aye": Muench, Reese, Riddler, Weller, Brown, Gieseke, Greer,  
Hoepfner, Kneemiller, and Koester  
"Nay": None  
Absent: None

**Approved** by the Honorable Mayor on April 26, 2005, and is known as **Ordinance 05-117**

## **Bill 8539**

An Ordinance Approving the Record Plat for Resubdivision of Lot 44 of Hidden Terrace, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Dottie Greer*)

**Passed** "Aye": Muench, Reese, Riddler, Weller, Brown, Gieseke, Greer,  
Hoepfner, Kneemiller, and Koester  
"Nay": None  
Absent: None

**Approved** by the Honorable Mayor on April 26, 2005, and is known as **Ordinance 05-115**

## **Bill 8540 (Amended)**

An Ordinance Authorizing a Contract with Cut-N-Trim for Mowing Services of City-Owned Properties in an Amount Not to Exceed \$70,000.00 (*Sponsor: Jerry E. Reese*)

Councilmember John Gieseke voiced concern that the bids were only sent to the same three companies which bid last year. A motion was made by JOHN GIESEKE to amend Council Bill 8540 to expire May 31, 2005, with the total contract amount of \$70,000.00 to be prorated for a two month period; and simultaneously re-bid the mowing services, and forward the bids to more than three companies. DOTTIE GREER seconded the motion. Discussion was held relative to the bidding process. All voted in favor, motion passed.

Vice President of the Council Bob Hoepfner stated that he had spoke with Parks & Recreation Director Maralee Britton relative to the possibility of the Park Department performing the mowing services for the City; and requested that City Administrator Allan T. Williams explore alternative options for mowing services.

## CONSENT AGENDA

Councilmember Mark. B. Brown held *Item 8.B.1. Convention Center Oversight Committee Meeting of February 8, 2005, Item 8.B.2. Convention Center Oversight Committee Meeting of February 22, 2005, Item 8.B.3. Convention Center Oversight Committee Meeting of March 1, 2005, Item 8.B.4 Convention Center Oversight Committee Meeting of March 8, 2005, Item 8.B.5. Convention Center Oversight Committee Meeting of March 15, 2005, Item 8.B.6. Convention Center Oversight Committee Meeting of March 17, 2005, and Item 8.B.7. Convention Center Oversight Committee Meeting of March 22, 2005* pending discussion at the Council Meeting scheduled for May 3, 2005, relative to the Convention Center Oversight Committee. Councilmember Dottie Greer removed *Item 8.C.9. Beautification Commission Work Shop of March 2, 2005* from the Consent Agenda. A motion was made by LARRY MUENCH to receive

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and approve the balance of the Consent Agenda. DOTTIE GREER seconded the motion. A roll call vote was taken with the following results: "Aye": Reese, Riddler, Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester, and Muench. "Nay": None. Absent: None. Motion passed.

## A. Approval of Council Minutes

1. Special Council Meeting of March 8, 2005
2. Regular City Council Meeting of March 22, 2005
3. Public Hearing of March 22, 2005

File #45874

4. Public Hearing of April 5, 2005

File #45875

## B. Receipt of Council Committee Reports

1. Convention Center Oversight Committee Meeting of February 8, 2005.
  - a. Approve Installation of False Trusses in Pre-Function Area as Recommended and Presented by PGAV in the amount of \$4,000
  - b. Layout Tile Compass According to Plat A – Plan North
  - c. Award FF&E Equipment Bids as Recommended
    - i. Escalator Cleaner – Industrial Soap Co. - \$2,855
    - ii. Office Furniture Installer – Precision Furniture Installation Inc. - \$8,755

## REMOVED FROM THE CONSENT AGENDA

2. Convention Center Oversight Committee Meeting of February 22, 2005
  - a. Award Fence Package #2.4 to JJK's Rainbow, Inc. dba Rainbow Iron and Fence - \$93,297
  - b. Award Sign Package #5.37 to Architectural Signing Associates dba ASI-Modulex - \$172,210
  - c. Approve Change Orders, as follows:
    - i. Guarantee Electric - C.O. #16 - \$11,354; C.O. #17 - \$20,544; and C.O. #18 - \$4,905
    - ii. Jarrell – C.O. #10 - \$4,371
    - iii. Missouri Valley Glass – C.O. #4 - \$10,256
    - iv. Waterhout – C.O. #18 - \$12,290
  - d. Award FF&E Equipment Bids, as follows:
    - i. Exhibit Hall Skirting – Georgia Expo - \$7,244
    - ii. Wheelchair Lift – Ascension - \$18,787
    - iii. Lecterns – Troxell - \$41,068
    - iv. Electric Distribution System – Lex Products - \$62,784

## REMOVED FROM THE CONSENT AGENDA

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

April 19, 2005

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3. Convention Center Oversight Committee Meeting of March 1, 2005
- a. Approve Change Orders, as follows:
    - i. Geissler Roofing – C.O. #5 - \$1,250
    - ii. National Fabco Mfg. – C.O. #5 - \$588
    - iii. Ralph Jones Contractors – C.O. #16 - \$51,851; and C.O. #17 - \$10,640
    - iv. Waterhout – C.O. #19 - \$8,770
    - v. Wies Drywall – C.O. #7 - \$8,724
  - b. Award FF&E Equipment, as follows:
    - i. Cyber Café Computer Kiosks – Kiosk Information Systems, Inc. - \$18,475
    - ii. Exhibit Hall Waste Receptacles – Renard Paper Co., Inc. - \$4,620.16
    - iii. Exhibit Hall Tables – Monroe Mfg. LLD - \$20,450
    - iv. Garment Racks – Demco, Inc. - \$6,364
    - v. Portable Food Carts – Corsair Display Systems, LLC - \$92,681 (includes assembly)
    - vi. Traffic Control Equipment – Roadtech Mfg - \$2,345
  - c. Appoint Mayor York Shura Lindgren, Steve Powell, and Mary West to Select Small Wares to Go Out for Bid

REMOVED FROM THE CONSENT AGENDA

4. Convention Center Oversight Committee Meeting of March 8, 2005
- a. Approve Change Orders, as follows:
    - i. Guarantee Electric - C.O. #19 - \$14,513
    - ii. Paric Corporation – C.O. #6 - \$14,325
  - b. Approve the 2005 Building Opening Budget and 2005 Pre-Opening Budget as Presented, Less the Food & Beverage Income and Expense Amounts Indicated

REMOVED FROM THE CONSENT AGENDA

5. Convention Center Oversight Committee Meeting of March 15, 2005
- a. Approval of Change Orders, as follows:
    - i. Bi-State Fire Protection – C.O. #7 - \$6,122
    - ii. Bommarito Construction – C.O. #15 - \$3,562; and C.O. #16 - \$2,984
    - iii. County Asphalt – C.O. #4 - \$8,292; and C.O. #5 - \$838
    - iv. Jarrell – C.O. #11 - \$4,195
    - v. Ralph Jones Contractors – C.O. #18 - \$10,373
    - vi. Waterhout Construction – C.O. #20 - \$9,955
    - vii. Wies Drywall – C.O. #8 - \$2,296

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- b. Approval of FF&E Bid, as follows:
    - i. Table Skirting – Drapes 4 Show - \$10,896
  - c. Install Standard Subdivision Light Fixtures Along Fairgrounds Extension

REMOVED FROM THE CONSENT AGENDA

- 6. Convention Center Oversight Committee Meeting of March 17, 2005
  - a. Purchase 8000 Plants for the Front Elevation of the Convention Center
  - b. City of St. Charles will Reimburse Global Spectrum up to \$75,000 for Essential Food & Beverage Pre-Opening Expenses

REMOVED FROM THE CONSENT AGENDA

- 7. Convention Center Oversight Committee Meeting of March 22, 2005
  - a. Approve Change Orders, as follows:
    - i. Wies Drywall – C.O. #9 - \$8,285
  - b. Approve FF&E Bids, as follows:
    - i. 2-Way Radios – St. Louis Electronics - \$30,310
    - ii. Lobby/Restroom Waste Receptacles – Industrial Soap - \$6,988
    - iii. Information Kiosk – Tube Art - \$10,764
    - iv. Digital Signage System (plasma screens) – Silver Beacon – up to \$160,000
  - c. Approve Ameren/UE Agreement Fairgrounds Road Phase I - \$7,936.90
  - d. Proceed to Purchase 5000 Plants for Front Elevation of Convention Center
  - e. Paric Proceed to Prepare C.O. #7 and Present for Evaluation at Next Meeting; and to Include in the C.O. the Executive Committee will Review Paric's Work in Progress Each Week for the Duration of the C.O.

REMOVED FROM THE CONSENT AGENDA

- 8. Public Utilities Committee Meeting of March 2, 2005
  - a. RFP on North Main Street Repair Project to be Sent to Archer Engineer, Cole & Associates, and Donohue & Associates, Inc.

File #45766

- 9. Council Work Session of March 8, 2005
  - a. Motion to Accept the Minutes of the Public Utilities Committee Meeting of January 10, 2005 Failed.
  - b. Motion to Bid Out the Workers Comp and Public Officials Liability Insurance, Allowing any and all Brokers to Actively Pursue all Avenues Available



# RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

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- c. Motion to Direct the Public Works Department to Engineer and Install the Area Drain to Alleviate the Storm Water Drainage Problem at 3417 Cottonwood.
- File #45764
10. Public Utilities Committee Meeting of March 21, 2005
- File #45766
11. CVB Advertising Committee Meeting of March 22, 2005
- a. Redraft of RFP for Graphic Designer
- Councilmember Bob Kneemiller requested that a copy of the RFP be distributed to all Councilmembers.
- b. Approval of Advertising Agreements Listed on Minutes
- c. Request for Copy of Pre-Approved Media List from the State
- File #45765
12. Special Finance & Audit Committee Meeting of April 4, 2005
- File #45808
13. Special CVB Advertising Oversight Meeting of April 5, 2005
- a. Approval St. Louis Post Dispatch Advertising
- b. Approval of Advertising in Hearst Magazine May & June, 2005
- c. Redrafting of the RFP for Graphic Designer
- File #45765
14. Legends of the Little Hills Committee Meeting of April 5, 2005
- File #45876
15. Street Committee Meeting of April 12, 2005
- a. Allocation of \$150,000 for the Sidewalk on Droste Road from Huntington Park to McNair-Sherborn Street
- b. Consider Other Sidewalk Projects at a Special Street Committee Meeting
- c. Consider Installation of Curb on Lawrence Street Between Third and Fourth Streets at Special Street Committee Meeting
- d. Consider Reconstruction of the 300 and 400 Blocks of North Sixth Street at Special Street Committee Meeting
- e. Waiver of Street Committee Approval of the Selection of a Company to Perform the Historical/Cultural Clearance on the North Third/North Fourth/Tecumseh Round-About Project
- f. Waiver of Street Committee Approval of the Selection of a Company to Perform the Environmental Clearance on the North Third/North Fourth/Tecumseh Round-About Project

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- g. Authorization to send out RFP to the following firms for the Design of the North Fairgrounds Road Extension Project (Boon's Lick to First Capitol): EKF Moen, Kuhlmann design Group, Burns and McDonnell, George Butler and Associates, Olsson Associates, Doering Engineer, and Woolpert.

File #45763

- C. Receipt of Reports from Boards, Commissions or Committees
  - 1. Special Business District Advisory Board Meeting of January 13, 2005
    - a. Election of Officers, as follows: John Dengler – Chairperson; Mike Maurer – Vice-Chairperson

File #45877

- 2. Special Business District Advisory Board Meeting of February 3, 2005
  - a. Approval of Purchase of Metal Posts for the Temporary Signage at Boone's Lick Road and Fifth Street

File #45877

- 3. St. Charles Park & Recreation Board Meeting of January 19, 2005

File #45769

- 4. St. Charles Park & Recreation Board Work Session Meeting of February 2, 2005

File #45769

- 5. St. Charles Park & Recreation Board Meeting of February 16, 2005

File #45769

- 6. Historic Landmark Preservation and Architectural Review Board Meeting of February 23, 2005

File #45827

- 7. Special Historic Landmark Preservation and Architectural Review Board Meeting of March 3, 2005
  - a. Approval of Various Signs as listed in the Minutes
  - b. Approval of Various Items for 1119-1127 South Main Street, Griffey Custom Homes, as listed in the Minutes.
  - c. 2003 North Fifth Street – Approval of Addition, without the Windows
  - d. Election of Claire Lockett as Secretary

File #45827

- 8. Citizens with Disabilities Board Meeting of February 22, 2005
  - a. Resolution to encourage the City to become compliant with the Federal Regulation for the SCAT Transportation System

President of the Council Rory Riddler stated that there are additional issues to be discussed relative to the SCAT Transportation System at a future meeting.

File #45811

- 9. Beautification Commission Work Shop of March 2, 2005

REMOVED FROM THE CONSENT AGENDA

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

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10. Veteran's Memorial Committee Meeting of March 7, 2005  
File #45830
- D. Receipt of City Administrator's  
1. March 2005 Investment Report  
File #45792
2. Information Memorandum Dated April 15, 2005  
File #45755
- E. Approval of Contracts and Easements from \$20,000 - \$50,000  
1. Acceptance of a Revised Easement Acquisition Agreement from James Douglas Browne on Parcel 4 of the Cave Springs Road and Traffic Improvement Project in an amount not to exceed \$28,545.00  
File #45878
- F. Preliminary Plats  
None
- G. Miscellaneous  
None

A motion was made by JOHN GIESEKE to suspend Council Rule 10 to extend the meeting past 10:00 p.m. DOTTIE GREER seconded the motion. All voted in favor, motion passed.

ITEMS REMOVED FROM THE CONSENT AGENDA

Item 8.B.1. Convention Center Oversight Committee Meeting of February 8, 2005  
Councilmember Mark B. Brown referred the minutes of the Convention Center Oversight Committee Meeting of February 8, 2005, to the May 3, 2005, Council Meeting; and requested that discussion relative to the Convention Center Oversight Committee be placed on the May 3, 2005, Agenda under Council Announcements. Councilmember Mark Brown also requested that City Attorney Michael Valenti and Special Counsel Eric Tolen render an opinion on whether the Convention Center Oversight can repeal a contract which was entered into by the City.

Item 8.B.2. Convention Center Oversight Committee Meeting of February 22, 2005  
Councilmember Mark B. Brown referred the minutes of the Convention Center Oversight Committee Meeting of February 22, 2005, to the May 3, 2005, Council Meeting; and requested that discussion relative to the Convention Center Oversight Committee be placed on the May 3, 2005, Agenda under Council Announcements. Councilmember Mark Brown also requested that City Attorney Michael Valenti and Special Counsel Eric Tolen render an opinion on whether the Convention Center Oversight can repeal a contract which was entered into by the City.

# RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

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## Item 8.B.3. Convention Center Oversight Committee Meeting of March 1, 2005

Councilmember Mark B. Brown referred the minutes of the Convention Center Oversight Committee Meeting of March 1, 2005, to the May 3, 2005, Council Meeting; and requested that discussion relative to the Convention Center Oversight Committee be placed on the May 3, 2005, Agenda under Council Announcements. Councilmember Mark Brown also requested that City Attorney Michael Valenti and Special Counsel Eric Tolen render an opinion on whether the Convention Center Oversight can repeal a contract which was entered into by the City.

## Item 8.B.4 Convention Center Oversight Committee Meeting of March 8, 2005

Councilmember Mark B. Brown referred the minutes of the Convention Center Oversight Committee Meeting of March 8, 2005, to the May 3, 2005, Council Meeting; and requested that discussion relative to the Convention Center Oversight Committee be placed on the May 3, 2005, Agenda under Council Announcements. Councilmember Mark Brown also requested that City Attorney Michael Valenti and Special Counsel Eric Tolen render an opinion on whether the Convention Center Oversight can repeal a contract which was entered into by the City.

## Item 8.B.5. Convention Center Oversight Committee Meeting of March 15, 2005

Councilmember Mark B. Brown referred the minutes of the Convention Center Oversight Committee Meeting of March 15, 2005, to the May 3, 2005, Council Meeting; and requested that discussion relative to the Convention Center Oversight Committee be placed on the May 3, 2005, Agenda under Council Announcements. Councilmember Mark Brown also requested that City Attorney Michael Valenti and Special Counsel Eric Tolen render an opinion on whether the Convention Center Oversight can repeal a contract which was entered into by the City.

## Item 8.B.6. Convention Center Oversight Committee Meeting of March 17, 2005

Councilmember Mark B. Brown referred the minutes of the Convention Center Oversight Committee Meeting of March 17, 2005, to the May 3, 2005, Council Meeting; and requested that discussion relative to the Convention Center Oversight Committee be placed on the May 3, 2005, Agenda under Council Announcements. Councilmember Mark Brown also requested that City Attorney Michael Valenti and Special Counsel Eric Tolen render an opinion on whether the Convention Center Oversight can repeal a contract which was entered into by the City.

## Item 8.B.7. Convention Center Oversight Committee Meeting of March 22, 2005

Councilmember Mark B. Brown referred the minutes of the Convention Center Oversight Committee Meeting of March 22, 2005, to the May 3, 2005, Council Meeting; and requested that discussion relative to the Convention Center Oversight Committee be placed on the May 3, 2005, Agenda under Council Announcements. Councilmember Mark Brown also requested that City Attorney Michael Valenti and Special Counsel Eric Tolen render an opinion on whether the Convention Center Oversight can repeal a contract which was entered into by the City.

# RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI

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## Item 8.C.9. Beautification Commission Work Shop of March 2, 2005

Councilmember Dottie Greer requested that the minutes of the Beautification Commission Work Shop of March 2, 2005, be referred to the Council Meeting of May 3, 2005, to give her an opportunity to speak with Mayor York relative to the minutes.

## RESOLUTION

A Resolution Authorizing Submittal of an Application with MoDOT for a 50/50 Grant on the North Fairgrounds Extension Project for Construction of the Intersection of First Capitol Drive and West Clay Street (*Sponsors: Joe Koester, John Gieseke, Larry Muench, Jerry Reese, and Rory Riddler*)

**Passed** "Aye": Riddler, Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester, Muench, and Reese.

"Nay": None

Absent: None

**Approved** by the Honorable Mayor on April 25, 2005, and is known as **Resolution R05-16**

## BILLS FOR INTRODUCTION

The following bills were introduced, except Council Bill 8553

### **Bill 8541**

An Ordinance Authorizing a Contract with the Law Office of Eric T. Tolen for representation of the City of St. Charles in its claims against East Central Missouri Water and Sewer Authority and others for various claims related to unauthorized usages of the City of St. Charles St. Charles water and sewage system (*Sponsors: Rory Riddler and John Gieseke*)

Councilmember John Gieseke stated that this contract is on a contingent basis. Councilmember John Gieseke requested an accounting of all the bills paid for legal services within the last three years.

### **Bill 8542**

An Ordinance Amending Schedule II, Subsection (A) of Chapter 78 of the Code of Ordinances by Establishing Parking Restrictions Along a Portion of Riverchase Parkway and Foxborough Circle (*Sponsor: Jerry Reese*)

### **Bill 8543**

An Ordinance Approving the Record Plat for Northwest Pediatrics Lots 1 and 2, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Bob Kneemiller*)

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**Bill 8544**

An Ordinance Accepting the Dedication of Certain New Town Neighborhood Improvement District Phase One Improvements, Approving a Certificate of Dedication and Completion; and Authorizing Payment of \$600,000 from the Project Fund in Connection with Phase One (*Sponsor: John Gieseke*)

**Bill 8545**

An Ordinance Authorizing a Contract with Park-Mark, Inc. for the 2005 City-Wide Street Striping Project in an Amount Not to Exceed \$98,700.00 (*Sponsors: Joe Koester, John Gieseke, Larry Muench, Jerry Reese, and Rory Riddler*)

**Bill 8546**

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Elm Street and Duchesne Intersection Improvement Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsors: Joe Koester, John Gieseke, Larry Muench, Jerry Reese, and Rory Riddler*)

**Bill 8547**

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Muegge Road and Old Highway 94 Intersection Improvement Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsors: Joe Koester, John Gieseke, Larry Muench, Jerry Reese, and Rory Riddler*)

**Bill 8548**

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Zumbahl Road and Graystone Drive Intersection Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsors: Joe Koester, John Gieseke, Larry Muench, Jerry Reese, and Rory Riddler*)

**Bill 8549**

An Ordinance Amending Ordinance Number 04-295 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2005 (Budget Amendment #2) (*Sponsor: Rory Riddler*)

**Bill 8550**

An Ordinance Authorizing Amendment Number 1 to the Contract with Mid-East Area Agency on Aging for the Use of the St. Charles (O'Dell) Senior Center (*Sponsor: Bob Hoepfner*)

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**Bill 8551**

An Ordinance Approving the FY 2004 State Homeland Security Grant with the Missouri State Emergency Management Agency (SEMA) for the Law Enforcement Terrorism Prevention Program (*Sponsor: Mark B. Brown*)

**Bill 8552**

An Ordinance Repealing Ordinance No. 04-291 and Enacting a New Ordinance Authorizing an Agreement with Commerce Bank for the Establishment of a Bank Card Account, Designating Persons Authorized for Use of this Account, and Designating the Line of Credit Amount (*Sponsor: Rory Riddler*)

**Bill 8553 (*Not introduced*)**

An Ordinance Repealing Ordinance No. 04-123 which Authorized the Annexation a 187.7 Acre Tract of Land Located North and East of Friedens Road and South of Highway 94 (Commonly Known as the St. Charles Golf Course) (*Sponsor: Mark B. Brown*)

Council Bill 8553 was not introduced.

File #45879

**Bill 8554**

An Ordinance Relinquishing an Approximate 15 Foot Wide Utility Easement Located Along Sandfort Creek Between West Clay and Ehlmann Road (*Sponsors: Bob Hoepfner, Dottie Greer, and Bob Kneemiller*)

**Bill 8555**

An Ordinance Authorizing a Contract with Schulte Supply, Inc. for the Purchase of Neptune Automated Water Meters and Components in an Amount Not to Exceed \$285,000.00 (*Sponsors: Bob Hoepfner, Dottie Greer, and Bob Kneemiller*)

**Bill 8556**

An Ordinance Authorizing a Contract with Mississippi Lime for the Purchase of Lime for the Water Treatment Plant in an Amount Not to Exceed \$155,916.00 (*Sponsors: Bob Hoepfner, Dottie Greer, and Bob Kneemiller*)

**Bill 8557**

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the South River Road and Arena Parkway Water Main Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsors: Bob Hoepfner, Dottie Greer, and Bob Kneemiller*)

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**Bill 8558**

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Boschertown Lift Station Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsors: Bob Hoepfner, Dottie Greer, and Bob Kneemiller*)

**Bill 8559**

An Ordinance Authorizing Change Order No. 1 to the Contract with Paric Corporation for the Emergency Generators, High Service Pumps and Electrical Panel Replacement Project in an Amount of \$35,732.00, for a Total Contract Amount Not to Exceed \$1,682,732.00 (*Sponsor: Larry Muench*)

**Bill 8560**

An Ordinance Authorizing a Contract with Information Technologies, Inc. (ITI) for the Lease of Police Computer Aided Dispatch (CAD) and Records Management Systems (RMS) for the Police Department in an Amount Not to Exceed \$108,610.00 (*Sponsor: Mark B. Brown*)

**Bill 8561**

An Ordinance Authorizing Amendment Number 1 to the Land Development Agreement Between Roy & Madonna Thoele and the City of St. Charles, Involving Properties at the Intersection of Fifth Street & Boone's Lick and Along Little Hills Expressway (*Sponsor: Larry Muench*)

**Bill 8562**

An Ordinance Amending Chapter 150 of the Code of Ordinances by Creating One New Section, Known as Section 150.085, Imposing Fees for an Integrated Permit, Certificate of Occupancy, Plan Examination, Inspection and Miscellaneous Permits; and the Adoption of a Fee Schedule (*Sponsors: Dottie Greer and Rory Riddler*)

**Bill 8563**

An Ordinance Authorizing a Contract with the Law Office of Eric T. Tolen for representation of the City of St. Charles in several involuntary annexations as described in more detail below (*Sponsors: Rory Riddler and John Gieseke*)

**Bill 8564**

An Ordinance Amending Section 134.20 of the Code of Ordinances Relative to Discharging Fireworks (*Sponsor: Dottie Greer*)



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**Bill 8565 (*Amended Prior to Introduction*)**

An Ordinance Amending Section 134.21 by Amending Deleting Subsection (D)(5) and Adding Subsection (D)(17) Relative to Sale of Fireworks; Licenses (*Sponsor: Dottie Greer*)

Councilmember Bob Kneemiller voiced concern that Council Bill 8565 proposes to delete Subsection (D)(5) relative to signage at the fireworks stands. A motion was made by DOTTIE GREER to retain Subsection (D)(5) in Council Bill 8565. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.

**Bill 8566**

An Ordinance Amending Chapter 134 of Code of Ordinances by Adding Section 134.22 Relative to Fireworks – Enforcement and Education (*Sponsor: Dottie Greer*)

**TABLED BILLS**

**Bill 8203**

An Ordinance Repealing Ordinance No. 03-209 Which Rezoned to Zoning District PD-MU (Planned Development-Mixed Use District) From Zoning District I-2 (Heavy Industrial District) a Tract of Land Located on the Southeast Side of South River Road (also known as Arena Parkway), Southwest of Friedens Road; Which Approved the Preliminary Plat of Ashbury at Katy Trail PD-MU in Connection Therewith; and Which Authorized a Planned Development Agreement (*Sponsor: Mark Brown*)

No action was taken on Council Bill 8203.

**Bill 8260**

An Ordinance Rezoning to City Zoning District C-2 (General Business District) from City Zoning District I-2 (Heavy Industrial District), a Tract of Land Consisting of 35 Acres Located on the Southwest Side of South River Road (Also Known as Arena Parkway), Southwest of Friedens Road (*Sponsor: John Gieseke*)

No action was taken on Council Bill 8260.

**Bill 8467**

An Ordinance Authorizing a Program for Reimbursement of Employee Prescription Drug Co-Payments (*Sponsor: Mark Brown*) (*Tabled at the March 1, 2005, Council Meeting*)

No action was taken on Council Bill 8467.

**Bill 8473**

An Ordinance Annexing Certain Adjacent Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Lands Petitioned for Annexation by St. Charles Golf Course Inc., Franklin and Mary Phillips, Glennon Schroer and Patricia A. Vogt, and David Kenneth Baumann (St. Charles Golf Course) (*Sponsor: Mark B. Brown*) (*Tabled at the March 1, 2005, Council Meeting*)

No action was taken on Council Bill 8473.

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## **Bill 8496**

An Ordinance Rezoning to City Zoning District PD-MU (Planned Development-Mixed Use District) From County Zoning District R-1E (Single Family Residential District) the 187 Acre St. Charles Golf Course Property Located at 408 Friedens Road, 412 Friedens Road, 490 Old Friedens Road and 500 Old Friedens Road; and Approving the Development Plan (*Sponsor: John Gieseke*)

No action was taken on Council Bill 8496.

## ***Public Hearing (Removed from Table and Failed)***

Case No. CU-29-04. An application for a conditional use permit for a vehicle service and repair facility, including tire repair and replacement, on property located at 1617 and 1621 Old Highway 94 South. The property is zoned C-2 General Business District.

(Ward 4) (*Tabled at the February 1, 2005, Council Meeting*)

A motion was made by BOB KNEEMILLER to remove the Public Hearing for Case No. CU-29-04 from the table. LARRY MUENCH seconded the motion. All voted in favor, motion passed. A motion was made by BOB KNEEMILLER to approve the conditional use permit for a vehicle service and repair facility, including tire repair and replacement, on property located at 1617 and 1621 Old Highway 94 South. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": None. "Nay": Weller, Brown, Gieseke, Greer, Hoepfner, Kneemiller, Koester, Muench, Reese, and Riddler. Absent: None. Motion failed.

## ***File #45879A***

### APPROVAL OF CLOSED MINUTES

Approval of the following Closed Minutes was referred to the Special Council Meeting scheduled for May 3, 2005:

- A. Regular Council Meeting of February 1, 2005, relative to legal actions, causes of action, or litigation (RSMo 610.021.1), hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3) and preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9)
- B. Public Utilities Committee Meeting of February 7, 2005, relative to sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)
- C. Council Work Session of February 8, 2005, relative to legal actions, causes of action, or litigation (RSMo 610.021.1), hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3), and preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9)

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- D. Regular Council Meeting of February 15, 2005, , relative to legal actions, causes of action, or litigation (RSMo 610.021.1)action, or litigation (RSMo 610.021.1), and hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
  - F. Special Council Meeting of March 8, 2005 (7:03 p.m.), relative to legal actions, causes of action, or litigation (RSMo 610.021.1), and hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
  - G. Council Work Session of March 8, 2005 (10:50 p.m.), relative to hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
  - H. Regular Council Meeting of March 22, 2005, relative to legal actions, causes of action, or litigation (RSMo 610.021.1), and hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3)
  - I. Council Work Session of April 12, 2005, relative to legal actions, causes of action, or litigation (RSMo 610.021.1).

CLOSED SESSION

A roll call vote was taken to recess into closed session relative to legal actions, causes of action, or litigation (RSMo 610.021.1), hiring, firing, disciplining or promoting of particular employees when information relating to the performance or merit of individual employees is discussed or recorded (RSMo 610.021.3), preparation, including any discussions or work product, on behalf of the Council or its representatives for negotiations with employee groups (RSMo 610.021.9) and sealed proposals and related documents or any documents related to a negotiated contract (RSMo 610.021.12)with the following results: "Aye": Gieseke, Greer, Hoepfner, Kneemiller, Koester, Muench, Reese, Riddler, Weller and Brown. "Nay": None. Absent: None. Motion passed.

The Open Portion of the Regular Council Meeting was adjourned at 10:35 p.m.

June 7, 2005  
Date Approved  
Marip K. McCoy  
City Clerk

Rory Riddler  
Rory Riddler, Presiding Officer